

MAR 08 2004

213201.00054

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In re application of:

Andrew BOOTH, et al.

Application No.: 09/596,549

Filed: June 19, 2000

For: THICK FILM HEATER APPARATUS

Examiner: Emmanuel S. Luk

Art Unit: 1722

March 8, 2004

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REQUEST FOR RECONSIDERATION OF ISSUANCE OF FINAL REJECTION

Sir:

In response to the Final Office Action mailed on January 8, 2004, Applicants hereby respectfully request that the Examiner reconsider, and withdraw, the finality of the new rejections set forth therein. When a new ground of rejection is issued, the rejection should not be made final unless that new ground of rejection was (1) "necessitated by applicant's amendment of the claims" or (2) was "based on information submitted in an information disclosure statement filed during the period set forth in 37 C.F.R. § 1.97(c) with the fee set forth in 37 C.F.R. § 1.17(p)." See MPEP 706.07(a). For the reasons to be discussed below, Applicants submit that neither of these two criteria were met in this instance.